

### REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The Applicant hereby affirms the previously made election of claims 1-20 (Group 1). However, the right to prosecute the non-elected claims 21 to 24 in a Divisional Patent Application is hereby preserved. Thus, claims 21 to 24 have been withdrawn from further consideration by the Patent Examiner.

The amendments to the claims are as follows. Each of claims 1 to 18 has been amended to delete each of the reference numerals. Each of claims 2 to 17 and 19 to 20 have been amended to change "in which" to "wherein".

The amendments to the claims are to overcome the various formal objections under 35 U.S.C. 112. Thus, claims 1, 10 and 18 were further amended as follows.

In claim 1, the phrase "a first adhesive layer for attaching the multilayer label to an object to be labeled, as well as a first non-adhesive region, such that a predominantly non-adhesive sheet is formed" in claim 1 was alleged to be unclear, which renders the

claim vague and indefinite. It is allegedly unclear from the claim language what is meant having an adhesive region while forming a predominantly non-adhesive sheet. The Patent Examiner asked how can the sheet be both adhesive and non-adhesive?

In response to this objection, claim 1 has been amended to cancel "such that a predominantly non-adhesive sheet is formed".

In claim 1, the phrase "a second adhesive layer as well as a second non-adhesive region such that a predominantly non-adhesive sheet is formed" in claim 1 was alleged to be unclear, which renders the claim vague and indefinite. It is allegedly unclear from the claim language what is meant having an adhesive region while forming a predominantly non-adhesive sheet. The Patent Examiner asked how can the sheet be both adhesive and non-adhesive?

In response to this objection, claim 1 has been amended to cancel "such that a predominantly non-adhesive sheet is formed".

In claim 1, the phrase "wherein the top label comprises a section which protrudes beyond the bottom label" in claim 1 was alleged to be unclear, which renders the claim vague and indefinite. It is allegedly unclear from the claim language what is meant by protrudes beyond the bottom label. The Patent Examiner

asked is the section at a different height? Wider than the label?  
Longer than the label?

In response to this objection, claim 1 was amended to recite that the protruding is at a second end opposite to the first end.

In claim 10, the phrase "the punch-outs completely separate the top label" in claim 10 is alleged to be unclear. The Patent Examiner alleged that it is unclear from the claim language what is meant by the above phrase. The Patent Examiner questioned do the punch-outs extend along the whole length or width of the label? Do the punch-outs cause the top label to be separated from the bottom label? What do the punch-outs separate the top label from?

In response to this objection, claim 10 has been amended to recite that the punch-outs are completely separated from the top label.

In claim 18, the phrase "a first adhesive layer for attaching the multilayer label to an object to be labeled, as well as a first non-adhesive region, such that a predominantly non-adhesive sheet is formed" in claim 18 is allegedly unclear. It is allegedly unclear from the claim language what is meant having an adhesive region while forming a predominantly non-adhesive sheet. The

Patent Examiner has questioned how can the sheet be both adhesive and non-adhesive?

In response to this objection, claim 18 has been amended to cancel the objected to phrase "such that a predominantly non-adhesive sheet is formed".

In claim 18, the phrase "a second adhesive layer as well as a second non-adhesive region such that a predominantly non-adhesive sheet is formed" in claim 18 is allegedly unclear.

It is alleged to be unclear from the claim language what is meant having an adhesive region while forming a predominantly non-adhesive sheet. The Patent Examiner has questioned how can the sheet be both adhesive and non-adhesive?

In response to this objection, claim 18 was amended to delete the objected to language "such that a predominantly non-adhesive sheet is formed".

In claim 18, the phrase "wherein the top label comprises a section which protrudes beyond the bottom label" in claim 18 is allegedly unclear. It is alleged to be unclear from the claim language what is meant by protrudes beyond the bottom label. The

Patent Examiner has questioned is the section at a different height? Wider than the label? Longer than the label?

In response to this objection, claim 18 was amended to recite that the protruding is at a second end opposite to a first end of said multilayer label.

The newly added independent claim 25 is based upon claim 1 and additionally recites the feature of claim 4 (adhesive repellant layer 8) and of claim 9 (die cut lines creating at least one detachable section 11).

For all these reasons, all the claims are firmly believed to be in complete compliance with all the requirements of 35 U.S.C. 112. Withdrawal of this ground of rejection is respectfully requested.

The applicant comments upon the prior art rejections of claims as follows.

The present invention is directed to a multilayer label comprising  
at least one bottom label (1) and  
a top label (2),

said top label (2) covering at least partly said bottom label (1) and being adhesively fixed to said bottom label (1) in a region close to a first end of said multilayer label thus forming a booklet,

said bottom label (1), at its side facing away from said top label (2), comprising a first adhesive layer (3) adapted to attach the multilayer label to an object to be labeled, said first adhesive layer (3) extending only over a minor portion of said bottom label (1) such that said side of said bottom label (1) facing away from said top label (2) has an extended first non-adhesive region (4),

said top label (2), at its side facing the bottom label (1), comprises a second adhesive layer (5) extending only over a minor portion of said top label such that said side of said top label facing said bottom label has an extended second non-adhesive region (6),

said top label comprising a section (7) which protrudes beyond the bottom label at a second end opposite to said first end of said multilayer label.

The present invention is also directed to a multilayer label comprising

at least one bottom label (1) and  
a top label (2)

said top label (2) covering at least partly said bottom label

(1) and being adhesively fixed to said bottom label (1) in a region close to a first end of said multilayer label,

said bottom label (1), at its side facing away from said top label (2), comprises a first adhesive layer (3) adapted to attach the multilayer label to an object to be labeled, said first adhesive layer (3) extending only over a minor portion of said bottom label (1) such that said side of said bottom label (1) facing away from said top label (2) has an extended non-adhesive region (4),

said top label (2), at its side facing the bottom label (1), comprises a second adhesive layer (5) extending only over a minor portion of said top label such that said side of said top label facing said bottom label has an extended second non-adhesive region (6),

said at least one bottom label (1) comprising an adhesive repellant layer (8) at its side facing said adhesive layer (5)

said top label (2) comprising die cut lines creating at least one detachable section (11) in the region of said second adhesive layer (5), said top label (2) further comprising a section (7) which protrudes beyond the bottom label at a second end opposite to said first end of said multilayer label.

*Sellars* discloses a unitary wrap around label in which multiple wraps of the unitary label around a target object produce superimposed layers (first and second label portions), the

lowermost layer being provided at its bottom surface with an adhesive (116) to affix the label on a target object (col. 3, lines 49 to 53). Admittedly, also a comparatively narrow strip of tack adhesive (120) may be provided at the distal edge of the bottom surface of the second label portion (cover layer) such that the second label portion may be selectively and repeatedly adhered to the first label portion (col. 4, lines 38 to 47). *Sellars*, however, fails to disclose a two-part booklet construction in which at least two leaves are glued together at one end (forming a book spine) and being predominantly free of adhesive at the ends distal to the spine as now recited in amended claim 1. *Sellars* particularly fails to disclose that the bottom side of the bottom label be provided with an extended non-adhesive region as recited in amended claim 1.

*Treichel* discloses a multi-layered label for adhesively affixing to containers. The label has a top section (5) being glued to a base section (1) in the left-hand edge region (6). The base section is provided at its bottom side with a layer of glue (9) at least in places (Abstract and col. 1, line 24). While the language "at least in places" may be construed such that there may be random places without glue, *Treichel* nevertheless fails to disclose providing the bottom section with an extended non-adhesive region.



Treichel further discloses to provide the top section with tear-off perforations to create a detachable section. However, this detachable section is free of adhesive and does not lend itself for easy affixing only any other document. In other words, Treichel fails to disclose a detachable section in the top label which is self-adhesive and provided on an adhesive repellent layer as recited in detail in the new independent claim 25.

For all these reasons, none of the prior art references provide an identical disclosure of the claimed invention. Hence, the present invention is not anticipated under 35 U.S.C. 102. Withdrawal of this ground of rejection is respectfully requested.


In summary, claims 1 to 20 have been amended and new claim 25 has been added. In view of these amendments, it is firmly believed that the present invention, and all the claims are patentable under 35 U.S.C. 103 over all the prior art applied by the Patent Examiner. A prompt notification of allowability is respectfully requested.

Enclosed is a check in the amount of \$50.00 to pay for adding one extra claim for a Large Entity. The Commissioner of Patents and Trademarks is authorized to charge or to credit our Deposit

Account No. 03-2468 for any deficiencies or overpayments.

Respectfully submitted,


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Enclosure: Check for \$50.00 to pay for one extra claim

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Maria Guastella